

REMARKS

Claims 1-7, 9-10 and 17-23 are pending in this application. By this Amendment, claims 1, 9 and 10 are amended, claim 8 is canceled without prejudice to or disclaimer of the subject matter recited therein, and claims 22-23 are added. No new matter is added.

Applicants appreciate the courtesies shown to Applicants' representatives by Examiner Weaver in the May 14, 2008 telephonic interview. Applicants' separate record of the substance of the interview is incorporated into the following remarks. Of particular note, it was agreed upon during the telephonic interview that claim 17 and claims dependent therefrom distinguish over the cited art and that clarifications to independent claims 1 and 9 would appear to distinguish over the cited art.

I. Formal Matters

The formal objections to the drawings and specification are believed to be addressed by Applicants' April 24, 2008 Amendment. Thus, these will not be further discussed.

In the Office Action, claims 8 and 10 are objected to for allegedly not further limiting the independent claims. Applicants respectfully disagree and traverse this objection.

As discussed during the telephonic interview, dependent claims 8 and 10 specified that the bottle type container has a circumferential draw ratio of 2.8 or less. This further limits the claims. However, at the request of the Examiner, the subject matter of these claims is amended for further clarity to define that the container is a blow molded container (which is blown and drawn to the recited draw ratio range). Additionally, to provide context for the circumferential draw ratio, Applicants specify that the container is a "slender" container to give a more particular shape dimension to the container body. This is supported, for example, by Applicants' paragraphs [0004], [0007], [0024] and the Figures.

For example, as explained in Applicants' specification (paragraphs [0004] to [0009] and [0027]), when used with slender bottles with small draw ratios (2.8 or less), convex

portions of a bottle may form resin accumulations, whitening, and the like. This affects the appearance and heat resistance of the bottles and is thus undesirable. However, the claimed structures recited in the independent claims are directed to structures that can restrict the occurrence of such resin accumulations, whitening and the like (paragraph [0009]) by reducing obstructions against vectors directed from the top towards the bottom in a stretching direction during blow molding, particularly for bottles having a low draw ratio as explained in Applicants' paragraph [0027].

The subject matter of canceled claim 8 has been incorporated into independent claim 1. Claim 1 and claim 10 are amended to reflect these changes. Claims 1 and 10 are proper. Withdrawal of the objection is respectfully requested.

II. The Pending Claims Define Patentable Subject Matter

In the Office Action, claims 1 and 5 are rejected under 35 U.S.C. §103(a) over Japanese Patent Publication No. JP7-329158 to Kobayashi. This rejection is respectfully traversed.

Regarding independent claim 1, this claim is further revised based on Examiner Weaver's suggestions during the telephonic interview. In particular, claim 1 is revised to specify that it is a blow molded bottle type container blow molded from a perform with a circumferential draw ratio of 2.8 or less. Additionally, claim 1 specifies that the container body part is slender. This combination of features provides the context and dimensional relationship to which aspects of the convex portion are conducive to solving a problem with resin accumulations and whitening as outlined in Applicants' background and summary (paragraphs [0004] - [0013]).

Further, claim 1 is amended to clarify that the convex portion is formed on a flat wall face of the at least one pressure reduction absorbing panel (such as convex portions 6a and 6b in Applicants' Fig. 1 formed on flat wall face 5b) and add that a border line is formed at a

boundary between the flat wall face of the at least one pressure reduction absorbing panel and the container body part (such as border 5a in Applicants' Fig. 1).

As discussed in Applicants' prior response, element 54 of Kobayashi is not a convex portion at all. Instead, from paragraph [0040], it states that "decompression deformed portions 46 and 48 comprise only the crevices 50 and 52 and the flat-surface parts 54 and 56."

Thus, it appears that elements 50 and 52 are crevices, or depressions, and element 54 is merely a flat wall portion. Thus, alleged part 54 appears to be similar to Applicants' flat wall faces 5b and cannot be considered a convex part on a flat wall face as claimed.

As discussed, Kobayashi fails to appreciate the problems with resin accumulation or whitening which can occur in convex portions when blow-molding slender bottle type containers (see Applicants' paragraphs [0004] to [0009] and [0027]), particularly when used with small draw ratios (2.8 or less). This affects the appearance and heat resistance of the bottles and is thus undesirable.

During the interview, Examiner Weaver referenced the triangular sections of Fig. 4 of U.S. Patent No. 5,064,081 to Hayashi. However, Hayashi is not concerned with the problems addressed by the subject matter of claim 1 and fails to teach or provide a reason to provide each and every feature of independent claim 1.

Therefore, claim 1 and claims dependent therefrom distinguish over Kobayashi or Hayashi. Withdrawal of the rejection is respectfully requested.

In the Office Action, claims 7, 9, 11, and 15 are rejected under 35 U.S.C. §103(a) over Kobayashi in view of Japanese Patent Publication No. JP11-180428 to Tomizawa. This rejection is respectfully traversed.

The Office Action alleges that Tomizawa teaches a bulged part. Additionally, during the telephonic interview, Examiner Weaver referred Applicants to the bulged parts in previously unapplied U.S. Patent No. 6,981,604 to Iizuka.

Claims 11 and 15 are canceled. Therefore, the rejection of these claims is moot.

Regarding independent claim 9, this claim is amended to clarify that a border line is formed at a boundary between the pressure reduction absorbing panel and the container body part (such as border line 5a extending around the flat wall of pressure reduction absorbing panel 5 as shown in Applicants' Fig. 6). Moreover, claim 9 clarifies that a single bulge is provided on the border line at a boundary between the top side of the pressure reduction absorbing panel and the container body part (such as Applicants' bulge shown in Fig. 6) that has a width larger at an upper side than a lower side of the boundary to restrict resin accumulation.

As agreed upon during the telephonic interview, none of Kobayashi, Tomizawa or Iizuka teach these features. Accordingly, claim 9 and claims dependent therefrom are patentable. Withdrawal of the rejection is respectfully requested.

In the Office Action, claims 2 and 12 are rejected under 35 U.S.C. §103(a) over Kobayashi in view of U.S. Patent No. 3,325,031 to Singier. This rejection is respectfully traversed.

Claim 12 is canceled. Therefore, the rejection of this claim is moot.

Singier fails to overcome the deficiencies of Kobayashi with respect to claim 1. Therefore, claim 2 is allowable for its dependence on allowable base claim 1 and for the additional features recited therein. Withdrawal of the rejection is respectfully requested.

In the Office Action, claims 3, 4, 6, 13, 14, and 16 are rejected under 35 U.S.C. §103(a) over Kobayashi in view of U.S. Patent No. 3,325,031 to Singier, further in view of U.S. Patent No. 5,064,081 to Hayashi. This rejection is respectfully traversed.

Dependent claims 13, 14, and 16 are canceled. Therefore, the rejection of these claims is moot.

Hayashi fails overcome the deficiencies of Kobayashi and Singier with respect to independent claim 1. Accordingly, claims 3, 4, and 6 are allowable for their dependence on allowable base claim 1 and for the additional features recited therein. Withdrawal of the rejection is respectfully requested.

In the Office Action, claims 8 and 10 are rejected under 35 U.S.C. §103(a) over Kobayashi in view of Tomizawa, further in view of Japanese Patent Publication No. JP10-249922 to Umeyama. This rejection is respectfully traversed.

As discussed above, when a slender bottle is formed with convex portions and has a draw of 2.8 or less, problems can occur during blow molding, such as resin accumulations and whitening.

Umeyama is not even directed to a bottle type container having a pressure reduction absorbing panel or convex portions on a wall face thereof. Therefore, Umeyama fails to appreciate problem during such formation, particularly for a bottle having a drawing ratio of 2.8 or less.

Accordingly, independent claim 1 (incorporating features from canceled claim 8) is allowable. Dependent claim 10 is allowable for its dependence on allowable base claim 9 as well as for the additional features recited therein. Withdrawal of the rejection is respectfully requested.

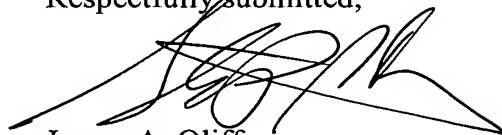
Claims 22 and 23 are added. Claims 22 and 23 further specify a size of the container. This is supported, for example, by Applicants' paragraph [0024]. Claims 22 and 23 are allowable for their dependence on allowable base claims and for the additional features recited therein. In particular, this size, in connection with the recited draw ratio, define a "slender" container to which the convex portion can be used to reduce resin accumulation and whitening.

III. Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of the pending claims are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



James A. Oliff
Registration No. 27,075

Stephen P. Catlin
Registration No. 36,101

JAO:SPC/axl

Date: May 20, 2008

OLIFF & BERRIDGE, PLC
P.O. Box 320850
Alexandria, Virginia 22320-4850
Telephone: (703) 836-6400

<p>DEPOSIT ACCOUNT USE AUTHORIZATION Please grant any extension necessary for entry; Charge any fee due to our Deposit Account No. 15-0461</p>
--